

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

WILLSON HENDERSON,

Plaintiff,

– *against* –

THE ROMAN CATHOLIC DIOCESE OF
BROOKLYN, FRANCISCAN BROTHERS OF
BROOKLYN, CAMP ALVERNIA, *and* FRIARS
OF ASSUMPTION BVM PROVINCE, INC.,

Defendants.

THE ROMAN CATHOLIC DIOCESE OF
ROCKVILLE CENTRE, NEW YORK

Interested Party.

ORDER

23 Civ. 05707 (ER)

Ramos, D.J.:

This action was removed from the Supreme Court of New York, Bronx County, on July 3, 2023. Doc. 1. On July 20, 2023, the defendants filed a “notice of joint petition to fix venue for claims related to the Roman Catholic Diocese of Rockville Center’s Bankruptcy Under 28 U.S.C. §§ 157(b)(5) and 1334(b).” Doc. 7. The notice indicated that the Roman Catholic Diocese of Rockville Center, New York (“DRVC”), an interested party in this case, and its affiliates filed a joint petition to transfer this action—along with a list of others—to this District in Case No. 23-cv-5751, a case before Judge Lorna G. Schofield. *Id.* On July 31, 2023, Henderson filed a motion to remand the instant action to state court. Doc. 8. On August 14, 2023, defendants Fransiscan Brothers of Brooklyn

and Camp Alvernia filed an opposition to that motion. Doc. 12.¹ On November 22, 2023, the DRVC filed a suggestion of stay of this litigation due to a liquidation order which the Delaware Court of Chancery entered on November 8, 2023, declaring Arrowood Indemnity Company—one of the DRVC’s principal insurers with respect to a Child Victims Act litigation—insolvent. Doc. 13. On May 9, 2024, this Court held a conference, at which it continued the stay on the instant matter. *See* Min. Entry dated May 9, 2024.

On June 17, 2025, Henderson filed a letter requesting that the Court lift the stay on this case, and that the Court consider the pending motion to remand. Doc. 18. Henderson stated that the DRVC bankruptcy proceeding has been resolved, and that the petition before Judge Schofield in Case No. 23-cv-5751 was deemed “resolved and withdrawn” under the DRVC reorganization plan, and thus closed on December 16, 2024. *Id.* Additionally, Henderson stated, the stay imposed by the Arrowood liquidation expired on March 26, 2025. *Id.*

On June 18, 2025, the Court directed Defendants to respond to Henderson’s letter by June 20, 2025. Doc. 19. Defendants did not file a response.

On July 14, 2025, the Court directed the parties to submit a status report by July 21, 2025. Doc. 20. On July 21, 2025, Henderson filed a status update, noting that Defendants had not responded to his June 18 letter, and reiterating his request that the stay be lifted because the Arrowood liquidation stay expired on March 26, 2025 and the Diocese of Rockville Centre bankruptcy was resolved in December 2024. Doc. 21.

¹ To date, defendants The Roman Catholic Diocese of Brooklyn and Friars of Assumption BVM Province, Inc. have not filed an opposition to the motion. While counsel for The Roman Catholic Diocese of Brooklyn appeared at the May 9, 2024 Court conference, counsel for Friars of Assumption BVM Province has not appeared in the instant case. Moreover, Henderson has not filed a reply in support of the motion.

Henderson additionally argued that Defendants' opposition to the pending motion to remand is no longer "arguably viable" because the matter was removed to federal court on grounds that it could conceivably affect the bankruptcy that has since been settled. Doc. 21. Defendants did not file a status report of their own.

Accordingly, the stay on the instant action is hereby lifted.

It is SO ORDERED.

Dated: July 23, 2025
New York, New York

A handwritten signature in blue ink, appearing to read 'Edgardo Ramos', is positioned above a horizontal line.

EDGARDO RAMOS, U.S.D.J.